that? "That I must take you some time, by darling, my love?" isn't it? A. Yes. Q. "My love, my life, dearest one?" A.

Yes, sir.
Q. I show you letter dated Tuesday,
12:30, written on paper of the WaldorfAstoria, New York, contained in envelope
postmarked New York city, Sept. 18, 1900,
addressed to Mrs. E. L. Burdick, 101 Ashland avenue, and ask you if that letter is
in the handwriting of Pennell? A. It looks
like it; yes. sir.

in the handwriting of Pennell? A. It looks like it; yes, sir.

Q. He says in this latter: "I have just come here to write you a note after having had the happiness of hearing your dear voice?" A. He may have done so.

Q. "Am I foolish to want to telephone you from way down here just for that and especially when I am no good at all at talking over the telephone? It is worth all it costs to me and if it gives you happiness in the least, then I am doubly repaid, for I love you, dear, more than you can know. More and more do I realize and know that you are the only woman in the world for me." You recall receiving that letter, do you, Mrs. Burdick? A. Not particularly, Mr. Coatsworth.

Q. What does he mean in this same letter when he uses this language: "The great thought in my mind now is that before long I shall see you. Only one more day and I shall know again the love light of your beautiful eyes, the paradise within

and I shall know again the love light of your beautiful eyes, the paradise within your arms, the heaven of your perfect love." What does he mean by that language, Mrs. Burdick? Can you tell? A. It is very strong language.

Q. Very strong language, isn't it? What does he mean by saying "The paradise within your arms?" A. Nothing, only if I met him and put my arms around him.

Q. You can't think of any other meaning that you attached to it? A. No. sir.

PENNELL'S THREATENING LETTER. Mr. Coatsworth then showed Mrs. Burdick a letter written by Pennell from the Waldorf-Astoria on Nov. 19, 1900. It was the celebrated letter in which Pennell expressed a desire to kill Burdick. Mrs. Burdick glanced at the letter and said she did not recall it.

Q. Now, I will read this to you and see if it won't refresh your recollection a little?

Q. Now, I will read this to you and see ff it won't refresh your recollection a little? "As I looked into your beautiful eyes last night I feared that there was some trouble hidden there I did not know. I was not sure, but I was afraid there might be something more than the fact that I was going away. If there was, please tell me, dearest, as I cannot bear the thought that you are as I cannot bear the thought that you are unhappy over anything, especially when I am away from you. At one time I thought that it might be owing to some difference with your husband. There are times when his manner to you makes me want to kill him, but I hold my temper, knowing that my expression on my part of a ing that an expression on my part of a small part of my feelings would probably lead to quick and violent quarrel which would make matters harder for us both." Don't you recall that you received this letter from Pennell? A. No, sir, I do not, Ir. Coatsworth.
Q. You would swear now that you did
ot recall receiving this letter? A. I said
don't recall it. I don't remember the

Q. At that time Mr. Burdick was not aware that you were receiving any letters from Mr. Pennell, was he? A. I don't remember that date. He knew——Q. In the year 1900 he was not aware that you were receiving these endearing letters from Mr. Pennell? A. Nineteen hundred—two years ago Librer years ago—Librer thouses. two years ago, three years ago—I don't know whether he was or not, Mr Coatsworth. I had some letters—his letters came to the house, some letters came to the house and Mr. Burdick, I know, saw them there.

KEPT HIS LETTERS IN A LITTLE BOX. Q. And at that time, you were keeping your letters in a little box that you kept under lock and key at your home? A. Some of them.
Q. And among the letters that you were keeping under lock and key were these letters that you were receiving from Buffalo?
A. Yes, sir. Some of them.
Q. You didn't have a safe deposit box or vault at that time, did you? A. No, sir.

gir.

Q. You had been having a pretty warm time with Mr. Burdick about that time, instantian flows letters had been received by you? A. Ite mir, sitterward.

Q. When was the first intimation that you received that Mr. Burdick was aware that this very close friendship existed between you and Pennell? A. Why. I don't know how long before that he was aware of that. He threw us constantly together.

Q. When was it that he first became aware of this intimacy between you and Pennell? A. I think it was the first day of Q. The first day of January, 1901? A.

I think so.

Q. How did he make it known to you that he was aware of what was going on between you and Pennell? A. He asked me where I was in the afternoon of the first day of January.

Q. And where had you been that afternoon? A. Been walking; taking a walk with Mr. Pennell part of the afternoon.

Q. What did you tell Mr. Burdick when he asked you that question? A. I told him that.

that.

Q. What reply did he make to it? A. He said that was a very imprudent, foolish thing to do, which I knew.

Q. When did he first become aware that you were receiving letters from Mr. Pennell? A. That I don't know.

Q. How did he get possession of these letters to which I have called your attention? A. I don't know.

Q. You don't recall that? A. No, sir, I don't know, unless he intercepted the letters; those that came to the house.

HOW BURDICK GOT THE LETTERS.

HOW BURDICK GOT THE LETTERS. Q. Do you remember an occurrence of our opening this lox in your house and sking some letters out and handing them o him? A. No, sir. I remember I opened

letters.
Q. These letters were among them? A. I don't know. I could not say. I don't remissisher them.
Q. Why did you open that box? A. Because he forced me to do it.
Q. And after you had opened that hox what did he do? A. He took the box. Q. How did he force you? A. Took me hy my throat.

by my throat.
Q. And what did he say? A. He said:

Q. And what did he say? A. He said:
Allie, open that box.
Q. What else? A. I don't remember anything else that he said.
Q. What did he say after he took you by the throat and said 'Allie, open that hox?'
A. I don't remember. Showed me the box and forced me to open it. I don't remember what was said.
Q. Did he saik you what the box contained when he took you by the throat and demanded that you open it? A. Irdon't remember, Mr. Conteworth.
Q. You mean to tell me that you don't remember? A. I don't remember. Mr. Conteworth, what he said. He brought the box—he had the box out said he as I eay, he forced me to open the box.
Q. Wasn't Pennell the subject under defined as the time that he took you by the throat and detunated that is took you by the throat and detunated that it might have been.

Q. Who paid for that box in the Security
Deposit Company? A. I did.
Q. At the time you got that box there
weren't any divorce proceedings pending
between you and Mr. Burdick? A. No.

ANXIOUS TO GET A DIVORCE AND MARRY

PENNELL. Q. Were you anxious to get a divorce rom him? A. Yes, sir. Q. Were you anxious to get a divorce from him? A. Yes, sir.
Q. You were anxious to get a divorce from him, were you? A. Yes.
Q. Did you tell him so? A. Why, I don't remember that I told him so.
Q. Why were you anxious to get a divorce from him? A. Because we had lost all love, we had gone apart and separated, and I thought we would be happier, and I did love Mr. Pennell.
Q. And you didn't have any love for Ed Burdick? A. No, sir; I had respect for him. We had drifted apart.
Q. How did you expect it was going to better your condition by getting a divorce from Mr. Burdick? A. I expected I would marry Mr. Pennell.
Q. Well, but he had a wife of his own at that time? A. I know.
Q. How were you going to get rid of Mrs. Pennell? A. He told me he thought she would get a divorce from him.
Q. What did Mrs. Pennell say about it?
A. I don't know. He told me sometimes she would not give him any satisfaction whether she would or not.
Q. Did you have a talk with Mrs. Pennell to urge her to get a divorce from Arthur?
A. No, sir.

THE SHADOWING OF BURDICK.

THE SHADOWING OF BURDICK.

Q. Was that the reason that you were having a detective employed to get evidence against Mr. Burdick upon which you could get this divorce? A. Yes, sir.
Q. All this time that you were employing this detective to get this evidence against Mr. Burdick, you were on very familiar terms with Mr. Pennell? A. Yes, sir.
Q. When did you first hire a detective to watch Mr. Burdick? A. I never hired a detective.

watch Mr. Burdick? A. I never hired a detective.
Q. Who did? A. Mr. Pennell.
Q. When did he first hire a detective to watch Mr. Burdick? A. I think a year ago, I don't exactly—I didn't know until afterward. In fact, all of that was something that was kept entirely from me. Mr. Pennell did it all.
Q. He did it all and paid for it all? A. He did. He told me he didn't want me to have anything to do with it whatever.
Q. What time was it that you were ordered away from your home by your husband? A. May, I think; it was two years ago.

band? A. May, I think; it was two years ago.
Q. What was the reason that he ordered you away from his home? A. Why, he thought I was—had been imprudent with Mr. Pennell and wanted me to go.
Q. How long had you been away from home on that occasion before you began o write letters to Mr. Burdick asking him to take you back? A. That I don't remember.

member.
Q. I show you a letter written on paper of Hotel Windsor, Atlantic City, N. J., addressed to Mr. Edwin L. Burdick, 45 North Division street, Buffalo, N. Y. Is that letter in your handwriting? A. Yes. APPEALS TO BURDICK TO TAKE HER BACK.

Q. Now, I am going to read this letter to rou, Mrs. Burdick, to refresh your recolyou, Mrs. Burdick, to refresh your recol-lection about some matters.

The District Attorney's voice was loud and clear, and all in the room could hear every word of the letter as he read it to the widow. It reads:

every word of the letter as he read it to the widow. It reads:

DEAR ED: I think perhaps you did not realize the effect your telegram would have upon me or you would not have done just what you did. However, I have no reproaches for you. I certainly feel myself cut adrift with very small resources. I certainly hoped to make one more appeal to you in person before you left, which you probably anticipated and avoided. I will tell you again the truth that is in my heart, and it seems to me you must believe me. This I promise for myself, which is all that I can do—that if I come back I will neither see nor communicate in any way with Arthur, that I will be a loyal and true wife and mother. I cannot promise anything regarding their leaving town, but he had said to me that anything I wish regarding our future, he will comply with, and any promise that I desire to must to you he will help me to carry it out. I have neither seen nor heard from him in any way since the day he left Buffalo last week, Tuesday or Wednesday, I forget which. Of course, you must see that if you say I am not to come hack that my only course is to appeal to him for protection. What the future will be for me with the uncertainty of Carrie's decision remains to be seen.

Q. That "Carrie" in there means Pen-

Q. That "Carrie" in there means Pennell's wife, do sn't it? A. Yes.

The District Attorney continued to read the letter:

The District Attorney continued to read the letter:

If she refuses to free him my life will be something too dreadful to think about. I will not appeal to you through the children. They will do that for themselves, later, when it is too late, probably. This question, now, as you say you will think only of yourself now, is between ourselves, and it rests with you to decide. I have a greater respect and honor for you than I have ever had, and who can say what the future may not bring in many ways. The companionship of fifteen years has brought much to us both, and I certainly feel that severing the tie is much harder than I thought. Those blessed babies it simply wrings my heart when I think of them. I don't intend to work upon your feelings, but write to you in all sincerity and honesty. If you have any heart answer at once, for this uncertainty is enough to drive me crazy. I am not feeling at all well this morning; so weak that I thought I could hardly get up. Please, Ed, write me at once, that my mind may at least know the worst. Most sincerely.

Q. Now, you wrote that letter to your husband, did you not? A. Yes, sir.

Q. At that time you were not hiring any detective to watch him, were you? A. No, sir.

Q. Did you have any reason to hire a

sir.
Q. Did you have any reason to hire a detective at that time to watch him? A. I didn't think so.
Q. That was a begging, beseehing letter Q. That was a begging, beseehing letter A.

Q. Now I show you another letter written on paper of the Hotel Windsor, Atlantic City, addressed to Mr. E. L. Burdick; the envelope is postmarked Atlantic City, May something, 1901. That letter is in your handwriting and is addressed to "Dear Ed," which is your husband? A. Yes, sir.

Q. This is what you say to him at this time.

Q. This is what you say to him at this time.

I received your jetter, which I had waited analously for, and after reading carefully conditions are now, it is certainly out of the property of change. I will write the window comment what he says. He says that they have first the say is the summer of the says is the summer of the says. I will write the window comment what he says. He says that they have invited everage people during the summer of the says that they can the says and the refused in one, where it is possible for them to heave now that he will promise a comment of the says that they can any summer of the property of the placed in one, where it is possible for the says the says that it has a summer of the says that the says that the will keep away through any summer of the says and the will be say somethines for him and it no say seek one or communicated with the few proposed says that it had not say to personal hardinglation of the loss of my and of says and the will help good affect to say conditions for him can any somethines for him and absolutely to represent him says and the will help says the same of the says that the says and he will help says the says that the says and the will help says the says that the same says and he will help says the says that the says th

husband that she was awaiting his deci-sion. A part follows:

sion. A part follows:

Now for myself I can only repeat what I said before. I will return if I may and be to you and the children as good a wife and mother as it is possible for me to be. I will neither voluntarily see nor communicated with Arthur. I think that without a doubt the will be only too glad to leave the city in the fall, and I know just what I am telling you. I can only promise for myself. He has said, however, that whatever I promised you he would help me to carry out. If I am coming home, I want to come now. I have had enough of this place alone. As for the children, their suffering will be for so many years. Dear little Alice, she has hardly begun her life yet, and with her wilful little ways she needs a mother to guide her. You must know that I am honest in what I say and will do absolutely all, and perhaps more than I promise. If I should tell you that I had changed in my feelings toward you, during this separation, you would perhaps seoff at it, but I will only say let me come back and see what a good girl I will be to you.

Q. You promised him at that time that if you came back you would be a good girl to him? A. Yes, sir; written in good faith.

Did you keep your promise with him,

ANOTHER LETTER OF MRS. BURDICK'S. Burdick replied to this letter that he had heard he was being shadowed. Mrs. Pennell had been to see him. Mrs. Burdick's next letter to her husband denied that she had heard of any charges against him. Here is a part of her letter:

that she had heard of any charges against him. Here is a part of her letter:

I cannot think that Arthur prompted Carrie's remarks, as there has never been a word between us regarding any relations of a serious nature, between you and any one. We have, as you know, talked and laughed about your friendships for certain people, but only what you have heard many times from all of your friends. Of course: as matters stood, I wrote Arthur your final answer, and he said he would of course come to me, and I had nothing to do but write him to that effect. He is coming to Atlantic City to-night, I believe, and I shall see him some time to-morrow. I wanted to see you to talk with you, but you would not come. I shall see him and find out what this all means of which I know nothing.

In Heaven's name, don't do anything until you hear from me. Perhaps if I can talk to him I can change his mind about leaving Buffalo. Tell me, Ed. if I should come back to you, and say that I wanted to stay, oh, so much, would you send me away again? Have you any wish for me at all? Have I gone entirely out of your heart? It is only right that I should see Arthur and find out, if possible, what all this means.

On June 6, 1902, Mrs. Burdick, still in Albant City.

on June 6, 1902, Mrs. Burdick, still in Atlantic City, got a letter from her husband's lawyers. She wrote to Mr. Burdick briefly expressing surprise that he should have taken any legal steps. Mr. Burdick's letter in answer to this was next read by Mr. Coatsworth as follows:

BURDICK REPLIES TO HIS WIFE.

DEAR ALLIE: Cannet, you understand that

Coatsworth as follows:

BURDICK REPLIES TO HIS WIFE.

DEAR ALLIE: Cannot you understand that as long a: Arthur remains a resident of Buffalo I can have no confidence in you? You have done everything to prove that you can not be trusted. You love him and have no love for me, but have I reproached you for either your love for him or lack of it for me? Doubtless if I were a woman and loved a man as you say you loved him. I should do as you have done and no promise or command could ever keep me from him. But I should be prepared to accept the consequences of discovery without complaint. Look at the situation from my point of view. What is there to look forward to in life for a man whose wife loves another man and lives only in the memory of that love? Add to this the constant menace of the presence of the lover where she must see him if she lives the life of anything but a hermit?

I love my children, and I am willing to sacrifice much for them, which I think you have good evidence, but I am not heroic, and a future of this kind is not attractive. Can I expect you now, when you love another man and must think of him constantly, to try honestly to make me happy when you have never tried during the years before you knew him? I loved you honestly long after your neglect and indifference might have been expected to kill that love. If you really tried you could even now win back my love and respect, but not if any cause for suspicion remains. I cannot stand the strain to which I have been subjected for several months any longer. Suppose I should find it impossible to love and respect

the strain to which I have been subjected for several months any longer. Suppose I should find it impossible to love and respect you, and treat you as a wife should be treated would you not be happier with the man you do love and who loves you? If you think so, that is the thing for you to do and I will be very liberal with you in regard to the children. My heart aches for them, but you have had many months to think of them while you were wearing his wedding ring over your lawful one?

Q. Is that so? A. No, sir. I had a little ring. It was not a wedding ring.

ring. It was not a wedding ring.
Q. It was a ring that Pennell had given
you? A. Yes, sir.
Q. And you wore the ring over the wedding ring your husband had given you?
A. I think I was wearing it so—no significance.

Continuing the letter:

OFFERS 10 TAKE HER BACK.

I cannot but think now that you simply wish to return here to remain until he can free himself from his wife: then you purpose going to him. It would be a good, safe place for you both, but it would be a little more than I deserve. You say he will do for you anything you ask, and he certainly will if he really loves you. If you are sincere in wishing to return to your family permanently and he is sincere, ask him to remove with all his belongings and his wife from Buffalo. A promise to in the fall will not do. He promised to go this spring, with no idea of going, of course. If he goes promptly, say by the middle of June, I will, for the sake of the children, who love you, and your poor old broken-hearted mother, receive you back after he goes and we will start all over again. I make this offer because I love the children, anticipating for myself a life devoid of love and happiness, except for and with the children. I have considered that I had already done all that a man could he expected to do, and I vowed that I would not do what I now offer, but I cannot stand between you and your children. If he wishes to do so by refusing your request, you will doubtless accept the situation without complaint or regret. You should be willing to abide by any action taken by the man whose love you accepted in exchange for your husbands honer. I would suggest that you communicate with me as soon as you hear from him. Yours sincerely,

EDWIN It BURDICK. OFFERS 10 TAKE HER BACE

Q. That was a very fair letter that h wrote to you, Mrs. Burdick? A. Yes, was, Mr. Coatsworth. Q. And he offered to take you back ther

this occasion? A. I don't think he ever did.
Q. How? A. I don't think so.
Q. Don't you recall one occasion when he was visiting you at your home when Mr. Burdick came up to the front door and he went out the side door and over the back fence? A. No, sir.
Q. Didn't he afterward tell you that in getting away that day, in jumping over the fence, that he almost jumped upon some-body who was in the next yard working or doing something. A. No, sir.
Q. You met him on many occasions from the time you returned from Atlantic City in June, 1901, down to the time that Mr. Burdick was murdered? A. Not for a long time afterward, Mr. Coatsworth.
Q. But you did meet him? A. Yes, sir.
Q. After all thesepromises that you made to your husband that you wouldn't? A. Yes, sir.

CONTINUED TO MEET PENNELL.

Q. And it was your practice to meet him during the daytime? A. My practice; I did because he was constantly soliciting I did because he was constantly ne to do so.

Q. He was constantly soliciting you to do so? A. Yes, sir.

Q. Well, where did you see him, at what particular places in this city did you see him? A. I saw him at one place on Seventh street—I don't remember what the number

was.
Q. That was room, as you understood it, that he had rented by the week, was it not?
A. He didn't explain to me at all how it

was.
Q. This was a completely furnished room in the house? A. Yes, sir.
Q. And there was a bed in that room?
A. I couldn't say whether there was or not.
Q. Do you remember an occasion when you were at that house in that room with Pennell, when Mr. Burdick came there?
A. Yes, sir.
Q. And you were in that room with Pennell at the time? A. Yes, sir.
Q. Mr. Burdick didn't see you? A. No, sir.

Q. Why didn't he see you? A. I went Q. Why didn't he see you? A. I went out of the room.
Q. You went out of the room? A. Yes, I didn't know that it was Mr. Burdick at the door, or I should have opened the door.
Q. Where did you go? A. Went out of

Q. Where did you go? A. Went out of the window.
Q. After stepping out of the window, where did you go? A. I went to church. [Laughter in the court.]
Q. And you left Mr. Pennell behind?
A. I did.
Q. You heard afterward that Mr. Burdick and his companions who accompanied him on that expedition had caught Mr. Pennell just after he jumped out of the window, too, did you not? A. I believe that was it.
Q. And that they did bring him into the room? A. Yes.

OTHER PLACES WHERE THEY MET. After that Pennell and Mrs. Burdick sought another room in Seventh street Mr. Coatsworth asked where the other places were.

Mr. Coatsworth asked where the other places were.

"There wasn't any other place," she replied.

Q. Yes there was. There were two or three other places where you used to meet Pennell. A. I don't remember those.

Q. Well, now, he has told me so. There were two or three other places that he had rented furnished rooms where he could meet you. Now, where were they? A. He would simply tell me these and he did not. I don't remember where they were, Mr. Coatsworth. I think there was one on Whitney place, but I don't know what it—Q. That was "one, two, three" that I have been trying to find out about, was it not? 123 Whitney place? A. I don't know what the number was.

Q. How many times did you visit with Pennell at this Whitney place house? A. I don't remember, perhaps twice or three times.

I don't remember, perhaps twice or three times.

Q. Afternoon on each occasion? A. Yes sir, or morning, I don't remember.

Q. You met Mr. Pennell at this Whitney place house on eight different occasions?

A. I-don't remember.

It was now 5:30 o'clock and after a consultation with the District Attorney Justice Mu rphy adjourned the inquest until 10 o'clock to-morrow morning. There was a rush from the-room, as most of the women wanted to get a last look at Mrs. Burdick as she went down'the stairs to her carring. BURDICK'S LAWYER TELLS ABOUT DIVORCE

CASE. District. Attorney Coatsworth called George C. Miller, who was Burdick's law-yer. The purpose of his testimony was to place on record the fact that Burdick had begun a suit for divorce, and to bring out other knowledge that Mr. Miller had of the Burdick family affairs.

Mr. Miller said that Burdick first talked

other knowledge that Mr. Miller had of the Burdick family affairs.

Mr. Miller said that Burdick first talked divorce to him about two years ago. No papers were then served on Mrs. Burdick, but Mr. Miler wrote a letter to her on the subject of the contemplated divorce action. Mrs. Burdick was then in Atlantic City. It was not until last fall that the action really was begun, the papers being served on Mrs. Burdick on Dec. 3. Her lawyer, who then was Niles Bartholomew, demanded a copy of the complaint, which named Mr. Pennell as corespondent. On Jan. 3 Mrs. Burdick served an answer, making general denials. Soon after that she changed her lawyers, and Thayer, Jackson & White appeared for her. They served an amended answer on Jan. 23.

Q. And when was the answer to that amended complaint due? A. The answer was due on the third day of March.

Q. Burdick was murdered on the 2th or 27th of February? A. Yes, if I remember right.

27th of February? A. Yes, if I remember right.

Q. So that there were about five days in which Mrs. Burdick had to answer that amended complaint? A. Yes, about that.

Q. Was any answer to that amended compaint served? A. No. It was understood between the lawyers on both sides that as soon as the case was at issue application would be made for a referee. This application was to be made as quietly as possible and it was understood that there was to be as little publicity as possible.

Mr. Miller said Burdick told him that Pennell had asked for an interview.

Q. Is there anything that you call to your mind now that would be of interest on this inquest or bear upon it in any way, that you want to testify to? A. Well, that question is pretty broad. I have said this a number of times, that there was nothing that occurred in my presence that would lead up to any such result; anything that was said het ween the two men.

No dispersion of the property o

SUICIDE.

No presert thereare, but intrinsticute of suicide? A Well, that is a hard question for me to answer, for this reason, that I don't think I ever heard the word suicide? A Well, that is a hard question for me to answer, for this reason, that I don't think I ever heard the word suicide, and I don't think he made what you call, directly, threats. I will say this, that he asked some questions and made one or two atatements that would leave an inference that he had thought of it, but I could not say thore than that about it. There were no direct threats, and yet they were intimatinations that led to that inference.

Heary that, the man who took the asked out of the furnace at the Pennuell home, on the morning after the murder. He said he saw Pennuell could the furnace at 2 ht o clock in the increasing int that was Pennuell actions he did not not the same and the furnace was simple to the asked be took away after the furnace was simplest.

Lizzle Romanue, the Fennuel is the asked to the answer be took away after the furnace was simplest. He also did not have a furnal in the answer be took away after the furnace was simplest. He also did not have a furnal is the asked to the answer the furnace was simplest and the simplest decreased another the furnace was simplest and the furnace of the beautiful and contains a simple of the simplest the simple of the simplest the furnace was simplest and the furnace was simplest the furnace was simplest the furnace was simplest the furnace was simplest and the simplest and the simplest the simplest the furnace was simplest to the simplest the furnace was simplest to the furnace was simplest the furnace was simplest

Wassessons, March 20 - The Navy In-Moor Admiral Linguists reporting the ar-

this occasion? A. I don't think he ever OUR NAVY STANDS THIRD.

ONLY ENGLAND AND FRANCE LEAD US IN BATTLESHIPS.

Figured on a Basis of Those Available Building and Authorized Germany Close Up and Will Pass Us 'If We Stop Building-Capt. Sigsbee's Report

WASHINGTON, March 23.-The naval authorities awoke to-day to the realization that the United States have risen from the position of a second class to that of a great naval power. A few years ago the naval nations, being superior only to Japan among those nations which have made pretensions to a big fleet. Now, however, secording to an official memorandum nanded to-day to Charles H. Darling, the acting Secretary of the Navy, by Capt. Charles D. Sigsbee, Chief of the Office of Naval Intelligence, this Government is the third naval power, basing the calculation on the number of battle-line ships built, building and authorized, while on the basis of a comparison of vessels under con-struction or authorized only the United States stands second in naval strength. All authorities now recognize that the

real criterion of a nation's naval strength is the number of its fighting ships. Nowadays these include only armorelads capable of taking a place in the line of battle. Lightly armored cruisers, protected and unprotected cruisers, gunboats, torpedo-boat destroyers and torpedo boats being regarded as auxiliaries and not as actual fighting craft. Capt. Sigsbee followed this rule in making his calculations, which were pased on official data, and a mere matter of addition proved that the United States s the third naval power from the standpoint of actual and authorized strength. lthough it stands fifth only in the point of number of vessels now available.

"In arranging naval powers in their order of relative strength," says Capt. Sigsbee, "only those vessels should be considered which are capable of giving and receiving blows on the battle line. These are battleships, armored coast defence vessels and armored cruisers. Other vessels are necesary for various duties, but the crucial test is the battle line. On this basis the relative strength is as follows:

BUILT AND AUTHORIZED. NOW AVAILABLE

Japan. 15 16,187

From another point of view, that of the inclusion of all vessels built or authorized from battleships to torpedo boats, the United States Navy is seventh in point of numbers, but third in point of tonnage. This leads to the self-evident conclusion that the United States possesses or will possess more large vessels than any nation except England and France. Considering only the number of ships authorized or building, including the three battleships of the Vermont class, and the two battleships of the Mississippi class, provided for by the Congress which concluded its work on March 4, Capt. Sigsbee places the United States second in point of tonnage, but combining the list of vessels built with that of vessels authorized or building, the result shows that this Government "is third in point of numbers and total tonnage at the present time."

In order that the naval authorities may not be misled as to the actual position of the United States as a naval power, Capt. Sigsbee makes this explanation: "It should be borne in mind, however, that in 1907,

the United States as a naval power, Capt. Sigsbee makes this explanation: "It should be borne in mind, however, that in 1907, according to her building programme, Germany will have a fleet of 38 battleships, 14 large cruisers, 38 small cruisers, 16 divisions of torpedo boats, six to a division. Of the battleships, 25 will be first-class ships of over 10,000 tons, launched since 1891. As it takes nearly four years to build a battleship in the United States, our force, according to ships authorized, will, in 1907, consist of 35 battleships, of which 24 will be first-class ships of over 10,000 tons, launched since 1891. Of the large cruisers

will be lirst-class snips of over 10,000 tons, launched since 1891. Of the large cruisers Germany will probably have eight armored cruisers, launched since 1891, while the United States will have ten."

Capt. Sigsbee's statement was made at the request of acting Secretary Darling. It will be laid before President Roosevelt, It will be laid before President Roosevelt, who has always been an ardent advocate of the construction of a great fleet. The statement makes plain that to maintain its position as a great naval power the American nation must continue to lay down armorelads at the rate of four or five every year.

WRECKED DEADWOOD COACH. The Two Funny Government Clerks Held for the Grand Jury.

WASHINGTON, March 28.-William C. O'Brien and Hamilton Connors, the two Government clerks, who on Saturday night wrecked the old Deadwood stage coach which was housed on the Post Office Department portico preparatory to its re-moval to the National Museum, appeared

moval to the National Museum, appeared in the police court to-day.

Judge Kimball heard a recital of the facts in the case, together with the statements of the clerks that they were only having fun, and under the statute covering the offence charged held them in \$500 ball each for the action of the Grand Jury.

WASHINGTON, March 28 .- The torpedo Washington, March 23.—The torpedo boat Baintridge has arrived at Newport News, the supply ship Glacier at Cavité, the collier Sterling at Pensacola, the tug Samoset at Philadelphia, the collier Mannihal at Norfolk and the collier Nero at Malta. The gunboat Helena has sailed from Canton for Hong Kong, the training ship Alert from San Diego for a cruise and the gunboat Gloucester from Para for Pernambuco

WASHINGTON, March 25 - The Uruguayan rebellion was short lived. Consul Swaim at Montevideo, who sent the first news of the outbreak to the State Department last work, telegraphed the Department to-day as follows: Peace has been proclaimed.

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SUPREME COURT DECISIONS. The Kentucky Lawyers Imprisoned for

Contempt in Indiana Are Released. WASHINGTON, March 23.-The Supreme Court, after handing down opinions to-day. adjourned for two weeks, the usual spring recess. The court granted the applica-tion for writs of habeas corpus releasing from the Indianapolis prison the two Louisville, Ky., lawyers, who were committed for sixty days for contempt of court by Judge Anderson, of the United States Court for the District of Indiana, in proceedings growing out of a contest between that court and the Indiana State Court, involving jurisdiction in a bankruptcy

Watts was counsel for one of the creditors against M. Zier & Co. of New Albany, Ind., in bankruptcy proceedings before the State Court, which appointed a receiver to take charge of the property. Subsequently proceedings were brought before Judge Anderson of the United States Court for the District of Indiana and another receiver appointed by him. Watts appeared in the case as protesting against the action and was told by Judge Anderson that he would commit him for contempt if he did not advise his clients to comply with the order.

The Judge of the State Court, on the other hand, threatened Watts with contempt proceedings if he advised the creditors to overturn the orders of the State Court, so that Watts was legally between the devil and the deep sea. He then called in Sachs as counsel and the situation was submitted to the parties interested, who declined to comply with Judge Anderson's order by turning the property over to the Federal receiver. Thereupon Judge Anderson committed Watts to jail for sixty days for contempt of his court and sentenced him to pay a fine. Sachs received a similar sentence as an accessory in advising Watts, and both lawyers are now in the Marion county jail serving their sentences. The Judge of the State Court, on the other

in advising Watts, and both lawyers are now in the Marion county jail serving their sentences.

Last Friday counsel for the two men asked the Supreme Court for writs of habeas corpus to release them from custody on bail pending a hearing of the case on the question as to which court—State or Federal—had jurisdiction in bankruptcy proceedings. Chief Justice Fuller to-day granted both writs, ordered the release of the lawyers on personal bonds of \$500 each and directed the question of jurisdiction be argued before the Supreme Court on April 6.

The Eastern Building and Loan Association of Syracuse, N. Y., lost its appeal from the decision of the Supreme Court of South Carolina in favor of Bright Williamson, who sued to recover the value of 25 shares of stock of the association when they matured, notwithstanding he had borrowed on the shares. The Supreme Court of South Carolina found in favor of Williamson, and this judgment was to-day affirmed. Justice Holmes in delivering the opinion said that the New York Court of Appeals had recently rendered a decision to the same effect.

The fight between the Kokoma Fence Machine Company and Alva L. and Davis M. Kitselman over patents for wire fabric

The fight between the Kokoma Fence Machine Company and Alva L. and Davis M. Kitselman over patents for wire fabric machines was settled to-day by the reversal of the judgment of the Circuit Court of Appeals for the Seventh Circuit and the affirmation of the decision of the District Court of Indiana dismissing the suit on the ground that neither of the patents was a pioneer invention. Both machines, the court held, were merely improvements on prior inventions and neither could claim infringement by the other.

Three cases involving imitations of Hennessy brandy were affected by the decision rendered to-day against the Richardson Drug Company of Omaha. Under the trade mark registered by the Hennessys they brought suit in the District Court of Nebraska to restrain the Richardson Drug Company from making the imitation and

Nebraska to restrain the Richardson Drug Company from making the imitation and asked for an accounting of profits and for damages. The District Court dismissed the case for want of jurisdiction, because the citizenship or alienage of the complainants had not been set forth in the bill in the manner required. On the basis of former decisions the Supreme Court holds that the description of the complainants as used in the bill as "all of Cognac, in France, and citizens of the Republic of France, and citizens of the Republic of France, is sufficient, and the case is remanded to the Federal Court of Nebraska for trial on its merits. The cases against Walter Moise and others and Carrie May and others, pending in other courts, are controlled by this case.

New Proceedings in the Silk Fraud Cases. Washington, March 23.—The Department of Justice, acting on behalf of the Treasury Department, will soon institute new pro ceedings against Rosenthal, Cohen and others in the alleged silk fraud customs cases at New York. W. Wickham Smith, the Special Assistant Attorney-General, who the Special Assistant Attorney-General, who has been conducting the cases, was at the Department of Justice to-day and had a talk with Solicitor-General Hoyt. The silk fraud cases were recently thrown out of the Federal Court on technical grounds. The fresh proceedings will avoid the point of objection made by the court.

First Officer Adams on Rewarded

WASHINGTON, March 28 .- As a reward for his praiseworthy services in leaving the disabled naval collier Alexander in an open boat during heavy weather to secure succor for the crippled ship, First Officer Adamson of the United States naval collier service has been assigned to command the collier Pompey. He will join the versel in China and bring her to Norfolk.

Collector Strangham in Washin WASHINGTON, March 28.—Collector Stranthan of the Port of New York made a visit to the Treasury Department to-day. He said that no business of great importance brought him to Washington, but that he wished to take up a number of minor customs matters with the Department. Collector Stranahan called on the President this afternoon.

Wassington, March 28.—The Comptroller of the Currency has declared a first dividend of 25 per cent. in favor of creditors of the First National Bank of Asbury Park, N. J.

George Church, 45 years old, no home, was run down and severely injured by the ambulance from the Brooklyn Mospital at he Kalit and Rudson avenues, last night. Church was formerly an assistant driver of the ambulance.

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The best shoe for young. middle-aged or old feet. Why so? Because built along nature's own lines, making walking easiest with out losing a jot of style. No other shoe just-as-good

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HALE DESK CO. 15 STONE ST., next Produce Exchange.

PERSONAL TAX IN WASHINGTON Congressmen Must Make Returns or a

Penalty of 20 Per Cent. Is Added.

WASHINGTON, March 23 .- At the first ession of the Fifty-seventh Congress an act was passed reviving the personal tax law of the District of Columbia, which t was impossible to enforce when formerly on the statute books. Under the law as it stands a tax of 11/2 per cent. is collect. able on all personal property over \$1,000 in value, with the exception of books and pictures, articles of wearing apparel and of personal adornment. A penalty of 20 per cent. is added in all cases where a return was not made to the District Commissioner prior to Aug. 12, 1902. There has been great lissatisfaction with this provision of the law, and another objection to it has now been raised by Senator Lodge of Massa. chusetts, who regards it as a hardship that he should be assessed and penalized for not making a return on personal prop-erty, a part or all of which is taxable in

lassachusetts. Senator Hoar also is much interested in

Senator Hoar also is much interested in the operation of the new law, and may introduce an amendment at the next session of Congress which will exempt Senators and Representatives from its operation during their sojourn in the national capital. The officials at the District Building do not believe this, however, as they say it would operate as a discrimination, and the law tries to avoid discriminations. There are many transient residents of the District besides the Senators and Representatives.

A majority of the Congressional dwellers in the capital have made their returns, however, while others are disposed to resist the double taxation. Senator Elkins of West Virginia has sent in a return of \$17,000 worth of tangible personal property. Representative Hitt has declared for a large amount. Representative Wadsworth of New York neglected to make a return and he is now faced with a large assessment, which includes a penalty of 20 per cent. for delinquency.

MELOY AHEAD OF FLOWER. let Go on Charge of False Pretences

-T'other Premoter Still Under Ball. The adjourned examinations of Dr. R. C. Flower, charged with swindling Mrs. Belle Gray Taylor out of \$500 and also with at-tempting to bribe Police Inspector Titus, and of Andrew D. Meloy, charged by Flower with having obtained \$2,500 from him under false pretences, came up before Magistrate Barlow in chambers at the Centre street police court yesterday after-

Centre street police court yesterday alternoon.

Meley's council moved for his discharge on the ground that a person does not commit crime who obtains from another money which that other supposes is to be used for illegal purposes. Flower made affidavit that Meloy obtained \$2,500 from him for the purpose of bribing Titus, to refrain from serving a warrant upon him. The motion was granted and Meloy was discharged. The examination of Flower was further adjourned until Wednesday afternoon.

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that it averts danger and lessens physical suffering if you check a cough or cold at the start. Druggists will agree that Hale's Honey of Horebound and Tar will do this pleasantly and quickly.

Pike's Toothache Drops Cure in One Minute.

BUSINESS NOTICES

Mire. Winelew's Scothing Syrup for childres ecthing, softens the gums, reduces inflammatica liars pain, cures wind colic. diarrhess. 25c. a bottle

DIED.

BAYLIS.-At Caire, Egypt, on Thursday, March 19, 1903, Charles S. Baylis of New York. DUER.—On Sunday, March 22, 1903. Ellin Travers Duer, wife of William Alexander Duer and daughter of the late William R. Travers Rela tives and friends are respectfully invited to attend the funeral services, which will be held at Trinity Chapel, West Twenty-fifth street, on Wednesday morning at half-past 10 o'clock.

ANEWAY.—Suddenly, of heart failure, on Monday March 14, 1903. Henry Latimer Janeway. J. of New Brunswick, N. J., son of Henry Latimer and the late Cathorine Abeel Janeway.

ODGERS.—On Saturday, Moreb 21, 1938, at her residence. No. 116 West 97th et., Heles Robert son, daughter of the late Alexander Robertant Rudgers

Funces services at the West End Colleges Church, 17th at and West End av . Tucada morning, March 26. at 10 o'clock. Friends kindly requested not to send flowers March 22. 100 in the 12d year of her age

March 27, tend in the Fld year of her age carine, doughter of the late William and AntiDoubties Betta, and wisles of Heary Barrier
Biothinson
Funcial at Grace Church, Jamaica, L. 1 Chronical
Wednesday, March 26, at 84 P. 26 Carrier
will meet relations and friends at Jamaic
on arrival of train leaving Long lesson the
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